

**EAST TROY
VILLAGE BOARD MINUTES
September 21, 2015
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Call Meeting to Order; Pledge of Allegiance

Clerk Treasurer Suhm verified the meeting was posted according to law.

Roll Call:

President Timms called the meeting to order at 6:30 p.m.

Present: President Timms, Trustees Fred Douglass, Linda Kaplan, Forty Renucci, Scott Seager, Dusty Stanford and Ann Zess

Excused:

Others: Chief Boyes, DPW Miller, Clerk-Treasurer Suhm, Attorney Gray

Citizen Participation

No citizen participation.

Consent Agenda

(One motion and second will approve all of the following items. Any item may be pulled from the list and voted on separately.)

- 1. Approval of Minutes – August 24, 2015**
- 2. Operator's License – Richard A. Block**
- 3. Consider approval of Parade Permit for High School Homecoming Parade, October 2, 2015, 3:30 – 4:30 p.m.**
- 4. Consider approval of Temporary Class "B"/"Class C" liquor license for St. Peter's Fall Festival, October 3 and 4, 2015 at 3001 Elm St.**

Motion by Trustee Renucci, second by Trustee Stanford to approve the consent agenda. Motion carried with Trustee Kaplan abstaining from the operator's license.

Miscellaneous Business

- 1. Consideration of plan commission recommendation to approve Conditional use for residential use at 2886 Main Street; Kinove LLC, applicant; Rick Strieter, agent; (application 2015-27)**

Motion by Trustee Stanford, second by President Timms to approve the conditional use. Motion carried.

- 2. Resolution 2015-10 authorizing the acceptance of the dedication of public right-of-way for a future road, approval of a minor amendment to the planned unit development overlay and the ninth amendment to the development agreement between the Village, Honey Creek of East Troy, LLP and Honey Creek Commercial Properties, LLC; Parcel Nos: RXUP00219 and RA442600001; W2055 Honey Creek Road and 2544, 2547, 2550,2556,2562, 2568, 2574, 2789 and 2849 Honey Creek Circle**

President Timms requested to table the item due to discussions with Teronomy. He and staff will be meeting with Teronomy to work out some details.

Motion by President Timms, second by Trustee Stanford to table Resolution 2015-10. Motion carried.

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3. Consideration of Impact Fee recommendations, new study and ordinance amendment

The Board discussed recommendations to remove the parks and law enforcement impact fees from the ordinance and incorporate parks improvement fees as an item in developer's agreements. Concerns were expressed regarding it being a negotiable item and the lack of funds to improve the parks system.

Robert Procter, attorney representing Honey Creek (Teronomy), introduced himself to the Board. He explained he agreed with the issues the Board identified in their discussion regarding fairness to citizens, consistency and paying for the impact of development. He reviewed some of the difficulties municipalities face with the impact fee state statutes related to the time limit on spending them, fees being used only for the impact of development and not deficiencies and having a current study in place that justifies the impact fees. He further explained the first building in the final phase of Honey Creek apartments will be ready for occupancy in early October and he was concerned the developer would be required to pay the fees in place because action has not been taken by the Board. Mr. Procter and Tom Larson of Teronomy discussed they would be agreeable to opening the developer's agreement if impact fees are removed from the ordinance.

The Board discussed the possibility of issuing a temporary occupancy permit with understanding the developer is willing to open the developer's agreement and the Village will review the impact fee ordinance. The impact fees will not be required to be paid prior to the temporary occupancy permit being granted. To receive the permanent occupancy permit, the impact fee issue will need to be resolved.

Motion by Trustee Stanford, second by Trustee Zess to grant a temporary occupancy permit giving 90 days so both sides have time to come together to work out differences between the current impact fees and moving it to a developer's agreement; after the term of 90 days something will be settled or the impact fees will revert back to the ordinance.

Motion by President Timms, second by Trustee Douglass to amend the motion stating the Board is not authorizing the granting of the occupancy permit, but rather once the building inspector is prepared to issue the occupancy permit, he is authorized to issue a temporary occupancy permit.

Vote on amendment - Motion carried 7-0.

Vote on original motion – Motion carried 7-0.

4. Consideration of purchasing grading attachment for maintaining baseball fields \$4,462.99 less trade-in credit

Motion by Trustee Renucci, second by Trustee Stanford to approve purchasing the grading attachment for baseball field maintenance. Motion carried.

5. Consideration of purchasing concrete parking bumpers for the new Mitchell Park lot, \$1,400

Motion by Trustee Douglass, second by Trustee Zess to approve the purchase of concrete parking bumpers. Motion carried.

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6. Consideration of repair to 4 manholes, \$17,125

Motion by Trustee Stanford, second by Trustee Douglass to approve the repair of four manholes. Motion carried.

7. Consideration/Discussion regarding potential archery range (Stanford)

Trustee Stanford explained last year a study revealed key items the residents of the community desire in the parks system. He stated the archery range fell within the top five items. The Park & Recreation Commission has created subgroups to look into the different projects. He is part of the group working on the archery range and is seeking direction from the Board. He stated if the Board is still interested in pursuing an archery range there is a grant available from the DNR that they will be applying for.

The archery range is planned for the West side of the Municipal building property. Trustee Stanford explained the range would be set up for shooting from the east to the west.

The impact on liability insurance was questioned. Clerk-Treasurer Suhm reported the plans for the archery range need to be submitted to the insurance company so the impact on rates and coverage can be determined.

Trustee Zess expressed concerns regarding the safety of neighboring properties that abut the Village property.

Motion by Trustee Seager, second by Trustee Douglass to pursue the grant contingent upon approval of liability insurance. Motion carried 6-1 with Trustee Zess voting no.

8. Consideration of selling surplus property, old phone system

Motion by Trustee Stanford, second by Trustee Douglass to approve the sale of the old phone system. Motion carried.

9. Approval of John's Disposal 2016 rates and set 2016 special charge at \$165.72 for tax bills

Motion by President Timms, second by Trustee Stanford to approve John's Disposal 2016 rates. Motion carried.

10. Consideration of retaining seized vehicle for village use

Chief Boyes explained the Village Board had expressed prior interest in retaining a seized vehicle for Village use if he felt it was a vehicle worth keeping. He currently has a seized vehicle he thought would be worth keeping until it became evident that the vehicle is in need of repairs. Trustee Zess questioned if this could potentially serve as a vehicle for airport pilots. Chief Boyes explained there are restrictions on how seized vehicles can be used. Another concern with utilizing a village-owned vehicle at the airport was liability insurance. Consensus of the Board was for Chief to place the vehicle up for auction.

President Timms took the ordinance out of order (prior to budget discussion)

Ordinances

- 1. Ordinance 2015-06 amending surface width of collector streets in subsection 495-43(X)**
 - a. Public Hearing**

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President Timms opened the public hearing at 7:34 p.m.

Mary Nicoson questioned whether the emergency services had been consulted regarding the change in road width. Trustee Douglass stated it has not been. She also questioned why the width was set at 48 feet originally and the recommendation was now to decrease the width. DPW Miller explained the engineers had reviewed this and deemed the 40 feet to be adequate. He also explained it is more pavement to maintain and the 75 foot right-of-way will be maintained on all collector streets so a greater width can be obtained if necessary.

President Timms closed the public hearing at 7:39 p.m.

b. Consideration of Approving Ordinance

Motion by President Timms, second by Trustee Stanford to table the ordinance until Trustee Douglass can ensure the change is acceptable to emergency services. Motion carried.

11. Consideration of 2016 Operations and Capital Budgets

Clerk-Treasurer Suhm reviewed the memo to the Board discussing the levy and current revenues over expenditures in the budget. The memo included items of consideration for the Board that evening.

The first item discussed was whether the Board would fund the airport capital projects with the tax levy. President Timms reminded the Board of a prior discussion when the Board decided to leave the airport as an enterprise fund but to provide funds for capital projects. Capital projects in the amount of \$46,200 were discussed to include furnaces for the FBO, T-Hanger Doors, and repaving and reconstruction of the taxiway and apron. The airport had an operational deficit of \$769. President Timms suggested reducing the furnaces from \$12,000 to \$11,000 to make up for the operational deficit.

Clerk-Treasurer Suhm explained there was \$9,000 included in the budget for disability insurance stating she would like to provide this benefit to employees. She clarified it would not include police officers unless it is negotiated in their contract in 2017. It was decided to leave it in the budget and discuss further at the next meeting.

An amount was placed in the budget for the proposed plan commission stipend. President Timms stated it should not be \$3,500 and he would reduce that amount to \$1,500 (\$25 per meeting for the five citizen members). Board members stated if it is provided to the plan commission they felt this should be done for all members serving on various Boards and committees for the Village. After further discussion it was decided there was not enough support to have the plan commission stipend remain in the budget.

The Board had conceptually approved the collection system operator's position, to be approved at a later date. Wages plus benefits were included in the budget, totaling \$86,500. DPW Miller explained this is the retired individual's salary and he would expect to hire somebody at considerably less. Trustee Zess discussed concerns related to the request stating this decision should not be made quickly and they should wait a year before authorizing the position. Trustee Stanford expressed his support for the position. President Timms stated the funding for position is in the budget as it stands. Trustee Zess had distributed a memo to Board members for their

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review. He asked the Board to review the memo and topic and come to the next meeting ready to make a final decision on the request.

Reports

Motion by President Timms, second by Trustee Stanford to table reports until the next meeting. Motion carried.

1. **Airport Advisory Committee – July, August 2015 Minutes**
2. **Park & Recreation Commission – July 2015 Minutes**
3. **EMS – July 30 2015 Minutes**
4. **Library Board – Minutes August 11, 2015**
5. **Municipal Court – August 2015**
6. **Booth Lake Park Board – Minutes July, August 2015 and Financial Reports**
7. **Village President's Report – August 2015**
8. **Revenue & Expenditure Report – August 2015**
9. **Clerk-Treasurer's Report – August 2015**
10. **Village Board Pending Business**
11. **Police Report – August 2015**
12. **Plan Commission – DRAFT Minutes 9/14/2015**

Closed session

Adjourn to closed session pursuant to Wis. Stats. 19.85(1)(g) to confer with legal counsel with respect to litigation it is or is likely to become involved (public records request)

Motion by President Timms, second by Trustee Stanford to adjourn to closed session per Wis. Stats. 19.85(1)(g) at 8:47 p.m. Motion carried.

Adjourn

Motion by President Timms, second Trustee Seager by to adjourn at 9:03 p.m. Motion carried.

Respectfully Submitted,

Eileen Suhm
Clerk-Treasurer